

Arctic FMP Work Plan

Meeting with Ecosystem Committee, August 22, 2007.

I. Council Motion

A. Provide a document that:

1. Analyzes status quo
2. Adopts an Arctic marine resource FMP – amend the scallop and crab FMPs to terminate geographic coverage at Bering Strait – options:
 - a) Close all waters north of Bering Strait to all commercial fishing including for forage species
 - b) Same as above (a) but allow red king crab commercial fishing between Bering Strait and Pt. Hope
3. Has some elements of a Fishery Ecosystem Plan

B. After completing the above, the Council will appoint members of an Arctic marine resources FMP team (to work with staff to develop a draft FM). [*Outside the motion, Council's stated intent is to have Ecosystem Committee give oversight for now, but appoint team later. In that case, who might be on such a team (see III.6 below)?*]

C. Staff should consult with stakeholders, including Arctic communities, to outline Council intent and objectives, seek input and suggestions for future marine resource management in the Alaskan Arctic EEZ. [*Staff has developed outreach plan and list of target audience groups. Discuss outreach plan, communities to be contacted, and contingency plan for requests from stakeholders (see IV below).*]

D. Prepare amendments to the scallop and crab FMPs to terminate geographic coverage at Bering Strait.

Question: Name of this FMP: Arctic Living Marine Resources Fishery Management Plan may be too broad and inclusive (whales, seals)? Consider Arctic Fishery Management Plan (leaving definition of "fish" or "fishery" as described in the Magnuson-Stevens Act).

II. Work Schedule:

- June/July 2007 – Develop work plan and outreach plan; initial letter contact with communities and agencies; scope the effort required to draft FMP text.
- August 22, 2007 – Meet with Ecosystem Committee to review tasks and work plan, discuss issues, and “provide some direction to the Council or advice” (see transcript).
- September 2007 – Contact analysis team? Begin preparation of FMP text, scallop and crab FMP amendment language, and analysis document.

- October 2007 Council Meeting – Progress report.
- December 2007 Council Meeting – **Preliminary draft** of Arctic FMP analysis document including draft language for amending scallop and crab FMPs.
- February 2008 Council Meeting – Present **initial draft** of Arctic FMP analysis, proposed FMP text, and proposed scallop and crab amendment language.
- February to June 2008 – Public review of initial draft package.
- June 2008 – Final review and Council approval.

III. Work Outline – General Approach to Accomplish Work Requested in Council’s Motion:

1. Initial draft of FMP language based on BSAI groundfish FMP and crab FMP.
2. Use the discussion paper, updated and expanded, as the EA which would accompany the draft FMP.
3. Prepare amendment language to amend the scallop and crab FMPs – consult scallop and crab Plan Teams. Amendment language likely to be very simple. Impacts of separating Chukchi Sea crab fishery from crab plan?
4. Complete a community outreach plan (Nicole Kimball), develop list of outreach communities and groups, and send letter with flyer and Council process handbook.
5. Scope out elements of an economic analysis of amending the two FMPs and implementing both alternatives and the two options to alternative 2. Scope the elements of a sociocultural analysis also: effects on communities, subsistence, cultural issues.
6. Analysis team: NMFS AKR (Melanie Brown), AFSC fish ecologist (Mike Sigler/Matt Eagleton?), a NMML marine mammal scientist (John Bengtson), a cultural/subsistence analyst (AFSC? Council staff?), and perhaps a habitat person (Matt Eagleton/Cathy Coon?) and a graphics person (Cathy Coon?).
7. Write a chapter on ecology of the Arctic. This could be an appendix that contains the elements of a FEP – i.e. descriptions of the oceanography, biological resources, marine mammals, interrelationships, seasonal cycles, and a summary of knowledge of fish and invertebrates or other potentially-exploitable species. It would describe recent physical and biological trends, effects of warming, etc. as a backdrop for the action taken in the FMP (prohibit commercial fishing). It would describe subsistence fishing and hunting, subsistence economies of villages and regions, etc. Involve Sarah Gaichas because of her AI FEP experience? (Consult draft final synthesis report from NPRB – Hopcroft et al 2006.)

IV. Stakeholders - Outreach

A. Community/cultural group:

North Slope Borough (Barrow), NW Arctic Borough (Kotzebue), Nome Census Area
Coastal communities: Wales, Shishmaref, Kotzebue, Kivalina, Pt. Hope, Pt. Lay,
Wainwright, Barrow, Nuiqsut, Kaktovik
ASRC, NANA, Maniilaq, UIC, Kawerak, Bering Straits NA

B. Agency/organization group:

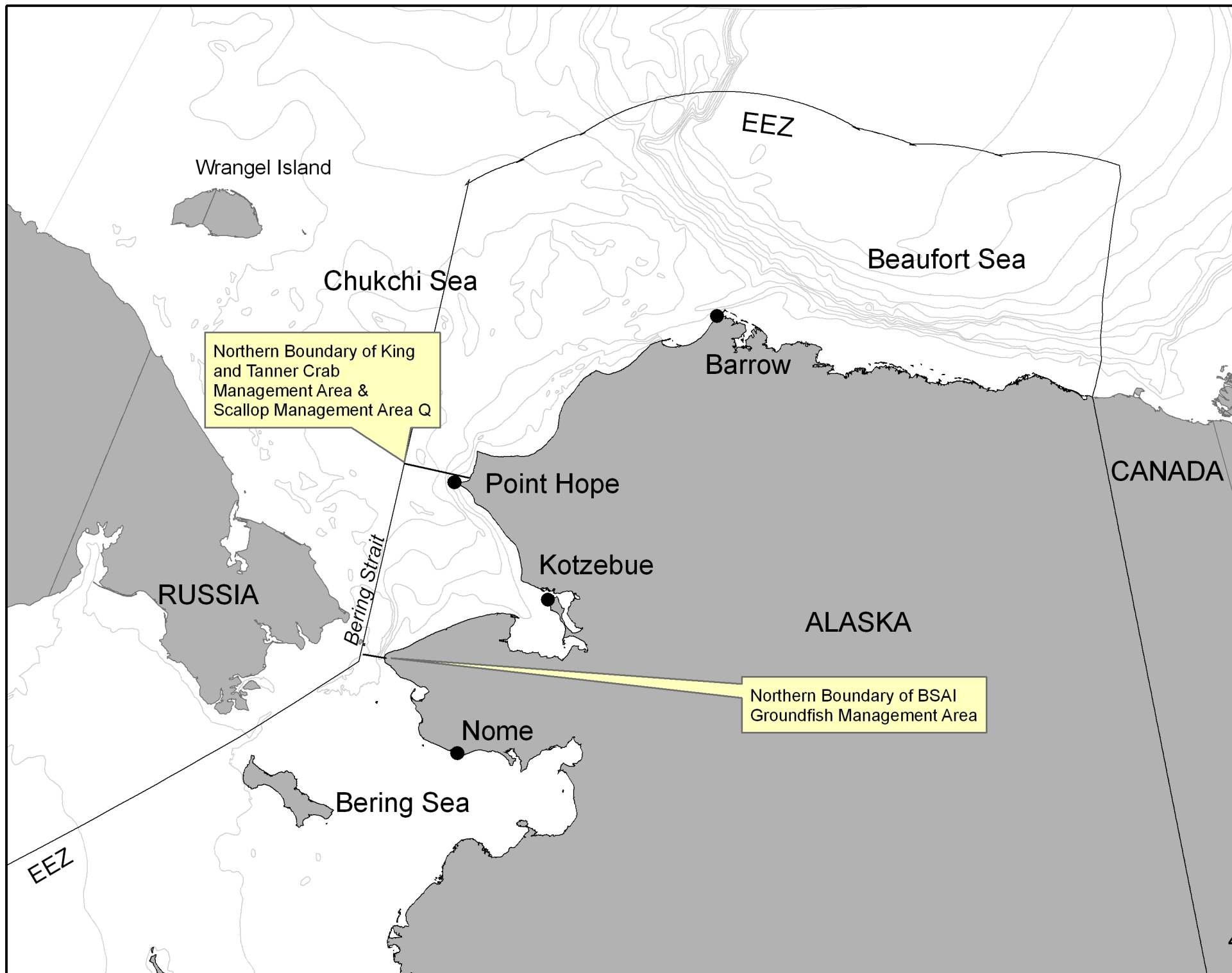
State of Alaska – ADF&G, DCCED, Governor’s Office
NOAA – AFSC – NMML (bowhead whales, ice seals, oceanography)
UAF (oceanography, general research)
Coast Guard (ice transit, research)
Other Federal agencies: MMS, BLM, NPS, USFWS (parks, refuges, NPRA)
AOGA – and the majors: BP, Conoco-Phillips, Exxon, Shell
U.S. Arctic Research Commission
Canada – DFO

C. Discuss possible requests for community meeting. Presentation: 1) primer on Councils, the MSA, the Council process; 2) an overview of FMPs and the Council’s intent for an Arctic FMP; 3) outreach to seek input, suggestions for future management.

D. Discuss staff working draft of Senate Joint Resolution (July 24, 2007) on International Agreement for Managing Fish Stocks in the Arctic Ocean

Attachments:

Council motion from June 2007 meeting
Transcription of June 2007 Council meeting discussion and motion
Outreach plan and list of communities, groups, agencies
Sample outreach letters
Flyer to accompany outreach letter
Arctic FMP geographic coverage map
Staff working draft, Joint Senate Resolution
Poster paper, Harrington and Scheurer 2007 (for NMFS SF meeting)
Letters on Arctic FMP issues



Council Motion – Arctic Fishery Management (June 2007)

In October 2006, the Council directed staff to prepare a discussion paper on management of fisheries in the Exclusive Economic Zone (EEZ) waters of the Arctic Ocean. The Council is interested in exploring policy options, such as a Fishery Management Plan (FMP), to conserve marine resources and manage existing or potential future fisheries in this region. The Council received that report at the December 2006 meeting, and tasked staff to further develop options for fishery management in the Arctic.

At present, the Council does not have an FMP that provides comprehensive authority over fishery management issues in the EEZ waters of the Chukchi and Beaufort Seas. Two of the Council's FMPs cover parts of the Arctic region for some species (i.e. the crab FMP and scallop FMP both cover part of the Chukchi Sea north of Bering Strait to Point Hope).

The Council has determined that a more deliberate and comprehensive management regime should be put in place for the Arctic region. This is partly in anticipation of potential fishery development in the region if climate conditions continue to warm. But this is also in response to some of the unique ecological conditions in the Arctic region, and the unique nature of the region's coastal communities, that merit more attention than has been given to this area previously.

The Council has reviewed several options for accomplishing its goal. These options were analyzed in a discussion paper prepared by staff for Council review in June 2007. These options include amending the existing FMPs so that they cover the Arctic region, writing a new Arctic FMP, or preparing a Fishery Ecosystem Plan. The issues each of these approaches raise have been evaluated by the Council at its June 2007 meeting, and the Council believes that a combination of amending the existing crab and scallop FMPs to terminate their coverage at Bering Strait and preparing a new comprehensive FMP for the Arctic region is the best approach. A single FMP covering the Alaskan Arctic would be a more holistic approach to marine resource management in the ecosystem. As part of that process, the Council intends that this new FMP contain elements of a Fishery Ecosystem Plan in that it should emphasize the unique habitats and resources of the Arctic and how marine resource management could be accomplished against this backdrop.

Therefore, the Council tasks staff with developing a draft Arctic Marine Resources FMP. This should include development of a problem statement or purpose and need statement, a suite of alternative management actions, and other supporting information required under the MSA, as amended in 2006.

An initial problem statement could include this language:

Under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), the Council is authorized to conserve and manage the fishery resources of the Alaskan EEZ, including the Chukchi and Beaufort Seas. To date, no large commercial fisheries have developed in these areas, and thus the Council has not

had a compelling reason to develop Fishery Management Plans for these Arctic marine areas off Alaska.

But the environment for commercial fishery development in the Alaskan Arctic may be changing, with warming trends in ocean temperatures and changes in seasonal sea ice conditions potentially favoring the development of commercial fisheries.

Although at this time there are no such fisheries in the Alaskan EEZ in the Arctic Ocean, and no routine fish surveys conducted in the region, the Council is interested in exploring policy and management options to prepare for future change.

In addition, the Council recognizes the unique ecological conditions of the Arctic, and expresses its concern over potential effects of commercial fishing on local residents who rely on subsistence fishing and hunting. The Council views the development of an Arctic Marine Resources FMP as an opportunity for implementing an ecosystem-based management policy that recognizes the unique issues in the Alaskan Arctic.

The Council also desires to clarify management authorities in the U.S. Arctic EEZ, and this action would accomplish that objective. A new Arctic Resources FMP would provide the Council a vehicle for addressing future management issues, including deferral of management to the State of Alaska.

The Council's initial preferred alternative will be to close the entire Arctic region, defined as the Chukchi and Beaufort Seas off Alaska, to commercial fishing for all marine species, including forage species, except for fisheries that have traditionally been prosecuted in these waters; currently, the only known commercial EEZ fishery in the Alaskan Arctic is for red king crab in the southern part of the Chukchi Sea. The Council will define its management approach in more detail in the Arctic Marine Resources FMP, including the conditions under which the Council will reconsider its policy for a general fishery closure.

Thus, the Council requests that the following alternatives be analyzed:

1. Status quo
2. Adopt an Arctic Marine Resources FMP, and amend the scallop and crab FMPs to terminate their geographic coverage at Bering Strait, with two options:
 - a) Close all waters north of Bering Strait to commercial fishing for all species, including forage species;

b) Close all waters north of Bering Strait to commercial fishing for all species, including forage species, but leave waters between Bering Strait and Point Hope open to commercial fishing for red king crab.

The Council will appoint members of an Arctic Marine Resources FMP Team to work with staff to develop a draft FMP.¹ Staff should consult with stakeholders to the extent practicable, including Arctic communities, outlining the Council's intent and objectives and seeking input and suggestions for future marine resource management in the Alaskan Arctic EEZ.

The Council, as part of this action, tasks staff with preparation of amendments to the existing scallop and crab FMPs to terminate their geographic coverage at Bering Strait. The Council requests that an initial draft Arctic Marine Resources FMP be presented to the Council at its December 2007 meeting. At that meeting, the Council will suggest further development of the draft FMP or send the draft FMP out for public review. An outline of the process required, and draft language for the amendments, should be part of the package to be presented to the Council at the December 2007 meeting.

¹ Note: After passing this motion, the Council recommended that the Arctic FMP be deferred to the Ecosystem Committee in the interim, and that the Council may appoint an Arctic FMP Team some time in the future.

**North Pacific Fishery Management Council Meeting
June 6-12, 2007**

Agenda Item D-5 Arctic FMP

Council Discussion

June 12, 2007, approximately 10:40 – 11:00 am

Stephanie Madsen (Council chair): We've concluded our public comment and our AP and SSC reports, what is the action of the Council? Mr. Krygier.

Earl Krygier (Council member): Madam Chair, I have a motion that I've handed out to members of the Council. I'll identify it; it's Draft Motion Arctic Fishery Management Plan June 2007. And though it's a little lengthy, I'm not going to read through other than the pertinent parts; I do describe a little bit of information up front about what we've got here, the initial problem statement that people can look at, and then gets to

Chair Madsen: Ok lets... it's been moved, the document he's referring to is Draft Motion Arctic Fishery Management Plan June 2007, is there a second?

[Unidentifiable]: Second.

Chair Madsen: Moved and seconded, Mr. Krygier.

Earl Krygier (Council member): Madam Chair, I think the important part... and I really want to complement Bill Wilson for the excellent job he did in putting together the document that helped us kind of focus in on this and look at the various possible alternatives. And I think it's obvious from the comments from the public and the other interested parties and the letters that this is a proper approach for us to do. The problem statement lays out those issues that have already been described. I'll get to the meat of the issue which is providing an FMP that would (1) analyze the status quo (2) adopt an Arctic marine resource FMP and amend the scallop and crab FMPs to terminate their geographic coverage of the Bering Strait. There would be two options here (a) close all waters north of the Being Strait to commercial fishing for all species, including forage species, and (b) close all waters north of the Being Strait to commercial fishing for all species, including forage species but leave waters between the Bering Strait and Point Hope open to commercial fishing for [add in "red king"] crab—and that's the existing fishery out of Kotzebue. Then the Council will appoint members of the arctic research... uh... marine resource FMP team to work with staff to develop a draft FMP. The staff should consult with stakeholders to the extent practical, including arctic communities outlining the Council intent and objectives in seeking input and suggestions from future marine resource management in the Alaska arctic EEZ. The Council as part of this action, tasks staff with the preparation of amendments to the existing scallop and crab FMPs to terminate the geographic coverage of the Bering Strait. The Council requests an initial Draft Arctic Marine Resource FMP be presented to the Council at its December 2007 meeting. At that meeting, the Council will suggest further development of draft FMP, send the draft FMP out for public review and outline the process required in draft language for amendments and should be part of the package presented to the Council in December.

Chair Madsen: Okay, I think Earl has gone through the pertinent parts, or really the action parts of the motion and spoken to it. Mr. Benson.

Dave Benson (Council member): Thank you Madam Chair. The only question I have, I suspect Earl has probably already checked with staff, is that a realistic timeline to come back with a draft in December?

Chair Madsen: Mr. Oliver.

Chris Oliver (Staff ED): I was just sitting here as Mr. Krygier was reading that looking at my revised three-meeting-outlook and I think that maybe we can target that as a preliminary review rather than a formal initial review, and see where we are, and maybe for December we could get to an initial review stage. But I would presume that when you're developing something new like this, that the idea... the notion that we're going to be ready for initial review and sending it out, might be a little optimistic, but we'd bring back what we have in October.

Chair Madsen: No, no, he said December.

Chris Oliver (Staff ED): December. Sorry I was meaning December, February.

Chair Madsen: Mr. Merrigan.

Gerry Merrigan (Council member): On that issue, we had some letters in our packets, where a lot organizations and villages in that area are requesting to be involved in our development of this so we may be reaching out to areas of Alaska where we have not before, and we may have to work at that a little to bring people in. It may take a little bit longer. I anticipate this might be more unusual process for us than normal and may take a bit more time.

Chair Madsen: I don't disagree with that, but I think the work that needs to be done... I mean we need to get a little bit of work before you go out so that you have a basis to have a conversation. Further discussion? Mr. Merrigan do you have amendments? Ok, it might take away some discussion though if you're going to make amendments. Mr. Krygier.

Earl Krygier (Council member): And Gerry I would respond, in that the component of this where it says the staff should consult with stakeholders to the extent practical, including Arctic communities. You know, we are... the focus is, one of the things we did do is try to focus down on the commercial fishing in the EEZ and because we're not talking about anything that would get us into subsistence or marine mammals, I think that's going to really take away a lot of the concern because we're doing pretty much as I read through all the comments what the folks were raising their hand about which is we don't want anything new up here, we want to take a deep breath and watch out, and make sure that our subsistence needs are taken care of. So I think the focus is okay, and we've got enough that we can make sure outreach occurs.

Bill Tweit (Council member): Thank you Madam Chair. Earl, thank you for the motion, it's a good one. I'm wondering about one element here that may be a little unique is.... but I agree with the approach... is the new FMP could contain elements of a fishery ecosystem plan. And I'm wondering whether we should assign some role than to the Ecosystem Committee in maybe reviewing this, since they've got a lot of... they sort of have our expertise on elements of the Fishery Ecosystem Plan at maybe before the initial comes back to us in December if we should ask for an Ecosystem Committee review first.

Chair Madsen: Mr. Krygier.

Earl Krygier (Council member): Madam Chair, you know we don't have an Arctic Marine Resources FMP Team and in the interim that might be a good option—to have the team that's already in place at least talk about some of these larger issues that they did with some of the other issues. This isn't really ecosystem, but in a way, a lot of the issues that it dealt with out in the Aleutian Islands were kind of similar and that might be a good group of folks to have them look at this.

Chair Madsen: To that point though, I guess you are saying you will appoint members, so for the first cut, you have the Ecosystem Committee look at it and then determine whether you want to take that next step to actually bringing a team together, because some of it is very... I mean, we keep hearing keep it simple in what we're closing, so I'm not quite sure the necessity of a team at this point, but the suggestion that you have the Ecosystem Committee look at it—you might want to either speak to the intent of the Council will appoint members, to make it clear that that still may be under discussion, and then probably explicitly talk about the Ecosystem Committee getting it, cause right not that's not part of our task. Further discussion? Mr. Merrigan.

Gerry Merrigan (Council member): Madam Chair in the spirit of trying to keep it simple, I'm going to propose an amendment to the Draft initial kind of/sort of Problem Statement that starts on the first page and runs to the second. My intent is going to try to keep the same substance and maybe reduce some of the wording, so that's what I'm trying to do. So, starting on the first page where it starts, "Under the Magnuson Stevens" no change, and no change in the 2nd paragraph. However, my motion would be to delete the portion of the paragraph starting with "Recently" all the way down to the sentence that says "although at this time there are no such fisheries." So, it would be the top portion of that paragraph there. Although at this time, the remainder of that paragraph would stay in, that'd be the change in that paragraph. In the next paragraph, I would do the following changes, it would read, "In addition, the Council recognizes the unique ecological conditions of the arctic and expresses its concerns over the potential effects of commercial fishing... [and this is where the change would be] ... on local residents who rely on subsistence hunting and fishing."

Chair Madsen: Okay, so we are deleting "in an area" and putting on local residents...

Gerry Merrigan (Council member): And the deletion would start at "in an area" and would go all the way down to where "The Council views...". So that, after "commercial fishing" it would read, "on local..." and delete the rest... and then it would start up again, "The Council views the development of an Arctic Marine Resources FMP as an opportunity for implementing an ecosystem-based management policy that manages and recognizes [and the change would be] the unique issues in the Alaskan Arctic."

And those would be the changes, and I would speak to them if I get a second.

Chair Madsen: It's been moved, is there a second?

[Unidentifiable]: Second.

Chair Madsen: Moved and seconded, Mr. Merrigan.

Gerry Merrigan (Council member): Madam Chair, the previous paragraph talks a lot about things, some of which are under our control and some of which are not, include permafrost and vegetation, but it also puts a heavy dependence on global warming as our reason for doing this. And I think that's one of the reasons for doing this, but I think we should be doing this regardless of global warming. So I don't want to hinge our entire motive just on the global warming, realizing that things change. Like in the Bering Sea we've got water temperature going the other direction and ice going the other way. I think we should recognize that and that does in the paragraph before it recognizes the warming, but it doesn't put undue emphasis on it as the only reason for doing it. The change in the second paragraph, it mentions specific species of marine mammals, and I think there are seals and other ones I think we need to consider, so I just tried to broaden it out to subsistence hunting and fishing in general, that we're trying to shorten it up, focus it, and not put undue influence over one of our motivations for doing this. I think we've got a lot of good reasons for doing this, including global warming, but it's not the only reason for doing it. Thank you.

Chair Madsen: Okay, it's been moved and seconded, Mr. Merrigan has spoken to it. Discussion on Mr. Merrigan's amendment? Okay, I support it. I think that it was a little bit too much language and was concerned about bringing in some of these other things that kind of muddle the focus of it. Thank you Mr. Merrigan, again this is draft, so we can always go back and change it. This is our first cut, so, further discussion on Mr. Merrigan's amendment to the main motion? Seeing no further discussion, is there objection? No objection the motion passes. Further discussion on Mr. Krygier's amended motion? Do we want to clarify then that it's not... the Council is still holding open the option to appoint members of the Arctic Marine Resource FMP. That is the Council's intent, yes or no? I'm getting positive nods that the Council, although the language says will, uh still leaving that option open. Mr Bundy.

John Bundy (Council member): Madam Chair, the Council intent I think is to refer this to the Ecosystem Committee between now and the next agenda item...

Chair Madsen: Okay, so it is also the Council's intent that this get referred to the Ecosystem Committee for their review to provide some direction to the Council or advice. Okay, is there any further discussion on the amended main motion? Seeing no further discussion, is there objection? Seeing no objection, the motion passess.